

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 MCT-01 SY-05 CIAE-00 DODE-00 PM-05
H-01 INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02
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-----056755 311148Z /11
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FM USMISSION USBERLIN
TO AMEMBASSY BONN
INFO SECSTATE WASHDC 6517

C O N F I D E N T I A L SECTION 1 OF 2 USBERLIN 0717

E.O.11652: XGDS-1
TAGS: PORS, WB
SUBJECT: PROTECTION AGAINST TERRORISM: ARMING

REF: USBERLIN 674

THERE FOLLOWS THE TEXT OF THE MESSAGE FROM BRITISH
DEPUTY COMMANDANT MAC GINNIS TO HIS FRENCH AND US COLLEAGUES
OUTLINING THE NEW, FORTHCOMIN BRITISH THINKING ON THIS
PROBLEM (PARA 6, REFTEL). WE HAVE TOLD THE BRITISH (AND
FRENCH) THAT WE LOOK FORWARD TO TAKING A FRESH LOOK AT
THE SITUATION AND HOPE THAT A JOINT MEETING, AS MAC GINNIS
SUGGESTED, COULD BE HELD WITH A MANDATE TO PRODUCE CON-
CLUSIONS AND RECOMMENDATIONS. THE FRENCH HAVE REACTED
COOLY, CAUTIONING AGAINST MODIFYING ALLIED LAW 43 AND
EXISTING PRACTICE, AND INDICATING THEY FEEL MOVEMNT IN
THIS AREA IS PREMATURE. REPRESENTATIVES FROM THE US,
FRENCH AND BRITISH CIVIL AFFAIRS, LEGAL, AND PUBLIC
SAFETY COMMITTEES ARE EXPECTED TO MEET ON
APRIL 5 TO AT LEAST DISCUSS THE MATTER. BEGIN TEXT.

1. WE CAN BE GRATEFUL TO THE GOVERNING MAYOR FOR HIS HANDLING OF
SENATOR BAUMANN. BUT WE HAVE CERTAINLY NOT HEARD THE LAST OF THIS
SUBJECT, AND I AM CONCERNED ABOUT ITS POTENTIAL TO CREATE TROUBLE
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IN FUTURE. IT IS ONE THING FOR US TO SHRUG OFF BAUMANN S AND CDU
OPPOSITION COMMENTS AT A TIME OF RELATIVE QUIET ON THE TERRORIST
SCENE IN BERLIN. BUT ON THE BASIS OF PRESENT POLICIES, WE RISK
INCURRING DAMAGING CRITICISM IF A PROMINENT BERLINER WERE TO BE
KIDNAPPED OR KILLED, AND THE ALLIES COULD BE ACCUSED OF HAVING
DENIED HIM THE MEASURES OF PROTECTION HE HAD SOUGHT OR COULD HAVE
ENJOYED IN THE FEDERAL REPUBLIC. I BELIEVE THAT WE NEED TO INJECT

MORE URGENCY INTO THE INTERALLIED CONSIDERATION OF THIS WHOLE SUBJECT. (EVEN ON THE SPECIFIC MATTER OF AXEL SPRINGER'S REQUEST FOR EXTRA, PRIVATE, BODYGUARDS, I CANNOT DETECT THAT WE HAVE MADE ANY PROGRESS IN NEARLY SIX MONTHS.) I SUGGEST THAT A JOINT MEETING OF THE CIVIL AFFAIRS, LEGAL AND PUBLIC SAFETY COMMITTEES SHOULD BE CONVENED AS SOON AS POSSIBLE AFTER EASTER WITH A DIRECTIVE TO REACH AND REPORT THEIR CONCLUSIONS AND RECOMMENDATIONS AS A MATTER OF URGENCY.

2. AS I UNDERSTAND IT, THE LONGSTANDING ALLIED POLICY OF REFUSING WEAPONS TO ALL BERLINERS EXCEPT THE POLICE IS BASED ON:

(A) THE CONVICTION THAT ANY PROLIFERATION OF PERSONAL ARMS IS AS (OR MORE) LIKELY TO REDUCE THE STATE OF SECURITY IN GENERAL THAN IT IS TO INCREASE IT. (MORE ARMS LYING AROUND FOR TERRORISTS OR CRIMINALS TO STEAL: INCREASED RISK OF ARMS BEING MISUSED EG AGAINST RUSSIAN TARGETS);

(B) A BELIEF THAT THE POSSESSION OF PERSONAL ARMS WOULD IN PRACTICE ADD LITTLE TO THE SAFETY OF THOSE WHO MAY BE TARGETS OF TERRORIST ATTACK;

(C) THE DIFFICULTY OF HOLDING FAST TO ANY GIVEN LIMIT UPON THOSE PERMITTED TO POSSESS ARMS ONCE THE PRESENT ALMOST TOTAL PROHIBITION IS BREACHED:

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(D) RELUCTANCE TO AUTHORISE SUBSTANTIAL DEROGATIONS FROM BASIC QUADRIPARTITE LEGISLATION.

3. THESE ARE COGENT ARGUMENTS. THE QUESTION IS WHETHER THERE IS ANYTHING NEW IN THE SITUATION TODAY WHICH MIGHT JUSTIFY CHANGE. IN MY VIEW THERE ARE SEVERAL NEW FACTORS:

(A) IN THE PAST YEAR TERRORISM HAS ACQUIRED A NEW LEVEL OF POLITICAL IMPORTANCE IN THE FEDERAL REPUBLIC. THE SCHLEYER AND MOGADISHU CASES MIGHT EASILY, HAD THE SECOND GONE WRONG, HAVE THREATENED THE SURVIVAL OF THE FEDERAL GOVERNMENT. THE CURRENT INQUEST INTO THE SCHLEYER CASE INCLUDES A HIGHLY POLITICAL SEARCH FOR SCAPEGOATS. THERE IS NO REASON TO SUPPOSE THAT IN A SIMILAR EVENT IN BERLIN THE ALLIES WOULD ENTIRELY ESCAPE THAT PROCESS.

(B) ALTHOUGH WE HAVE NO SPECIFIC INDICATIONS AT PRESENT, THE IMMINENT LORENZ-DRENKMANN TRIAL PROVIDES THE TERRORISTS WITH AN OBVIOUS MOTIVE FOR FURTHER ACTION, POSSIBLY IN BERLIN.

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C O N F I D E N T I A L SECTION 2 OF 2 USBERLIN 0717

(C) IN THE PAST, THE ALLIES HAVE ENJOYED THE FIRM SUPPORT OF THE BERLIN POLICE AND THE SENATOR FOR THE INTERIOR FOR THEIR POLICY. THIS HAS CHANGED OVER THE PAST YEAR OR TWO. THE SENIOR POLICE (EXCEPT FOR HUBNER) NOW TAKE THE VIEW THAT THE CHANCES OF A KIDNAP VICTIM BEING RELEASED ALIVE HAVE BECOME SO SMALL, THAT THOSE WHO ARE AT THE HIGHEST RISK SHOULD NOT BE DENIED SUCH EXTRA SECURITY AND SELF-CONFIDENCE AS POSSESSION OF A WEAPON MIGHT GIVE. THE SENATOR FOR THE INTERIOR TAKES THE SAME VIEW. HE SAID THIS CLEARLY TO THE ALLIED PUBLIC SAFETY ADVISERS ON 21 MARCH. THE GOVERNING MAYOR S PRIVATE REMARKS TO ME ON 20 MARCH (BRIB 157) MAY HAVE BEEN INTENDED AS A HINT IN THE SAME DIRECTION. EVEN IF WE HAVE NOT IN THE PAST ACCEPTED THAT VIEW, THE FACT IS THAT IN THIS CONTEXT IT IS GERMAN LIVES WHICH ARE AT STAKE: AND, IN THIS RESPECT, THE ALLIES HAVE NO MEANS OF DISCHARGING THEIR OWN RESPONSIBILITIES FOR SECURITY IN BERLIN, EXCEPT THROUGH THE SENATOR FOR THE INTERIOR AND THE POLICE. WE ARE AT PRESENT IN THE POSITION OF HAVING REFUSED TO ACCEPT THEIR ADVICE. THE SENATS KANZLEI OFFICIALLY ENDORSED THE REQUEST TO ARM JUDGES AND PROSECUTORS. THE GOVERNING MAYOR MAY SEEM RELAXED ABOUT OUR REFUSAL NOW. BUT IF SOMETHING GOES WRONG IN FUTURE, WE MAY FIND IT HARD TO ESCAPE THE BLAME IF IT COULD BE SHOWN (AS IT WOULD BE IF THE FACTS BORE THAT INTERPRETATION) THAT WE HAD DECLINED TO AUTHORISE MEASURES SOUGHT BY THE SENAT OR BY THE VICTIM.

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(D) IT IS ALREADY DIFFICULT TO CONVINCE THE ORDINARY BERLINER THAT THOSE WHO ARE SERIOUSLY THREATENED SHOULD NOT BE ALLOWED TO ENJOY

THE SAME FACILITIES FOR PROTECTION (IE PERSONAL ARMS OR PRIVATE BODYGUARDS) AS ARE ALLOWED IN THE FEDERAL REPUBLIC, THE MORE SO SINCE WE HAVE ALREADY AUTHORISED THE ARMING OF PRIVATE GUARDS FOR TRANSPORTING MONEY. I ACCEPT THAT THERE ARE MANY ORDINARY BERLINERS WHO WELCOME THE PRESENT ALLIED RESTRICTIONS UPON THE GENERAL PROLIFERATION OF ARMS, BUT THAT IS A RATHER DIFFERENT POINT: AND THIS ATTITUDE IS LESS COMMON AMONG THOSE WHO ARE ACTUALLY AT RISK.

(E) IT IS NO SECRET THAT SOME PROMINENT BERLINERS ALREADY CARRY PERSONAL ARMS ILLEGALLY.

4. I CANNOT HELP FEELING THAT WE WOULD BE WISE, BEFORE ANY FURTHER TERRORIST INCIDENT OCCURS, TO CONSIDER SOME DEGREE OF RELAXATION OF OUR PRESENT POLICY TO MEET THE CONSIDERATIONS SET OUT ABOVE. AT THE SAME TIME, FOR THE REASONS IN PARAGRAPH 2, WE CLEARLY DO NOT WANT TO ACCEPT ANY WIDESPREAD LICENSING OF PERSONAL ARMS. THERE SEEM TO BE THREE POSSIBILITIES WORTH SERIOUS EXAMINATION:-

(A) THE RECRUITMENT OF ADDITIONAL QUOTE SPECIAL CONSTABLE, OR ELSE REGULAR, POLICE BODYGUARDS TO BE AVAILABLE, UPON POLICE RECOMMENDATION, FOR HIRE BY PERSONS CONSIDERED BY THE POLICE TO BE ENDANGERED:

(B) THE ESTABLISHMENT, UNDER SUITABLE SAFEGUARDS, OF A PRIVATE ENTERPRISE FIRM TO SUPPLY BODYGUARDS TO THOSE ON THE ENDANGERED LIST. WE BELIEVE FIRMS OF THIS SORT EXIST IN THE FEDERAL REPUBLIC. ALTERNATIVELY, WE COULD AUTHORISE THE FIRM EVENTUALLY LICENSED TO GUARD MONEY TO GUARD PEOPLE AS WELL:

(C) TO AUTHORISE THE CARRIAGE OF PERSONAL WEAPONS BY PERSONS WHOM THE POLICE AGREE TO BE AT RISK. SUCH PERMISSION TO BE GRANTED ONLY CONFIDENTIAL

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ON THE SPECIFIC RECOMMENDATION OF THE SENATOR FOR THE INTERIOR AND SUBJECT TO PERIODIC REVIEW AND WITHDRAWAL. THE PUBLIC SAFETY ADVISERS COULD ASCERTAIN HOW LARGE CURRENT POLICE LISTS ACTUALLY ARE: AND HOW THE CRITERIA SHOULD BE DEFINED TO PREVENT SUBSEQUENT INDISCRIMINATE GROWTH. I RECOGNISE ALL THE DIFFICULTIES, AND AT THIS STAGE ONLY SUGGEST A SERIOUS RE-EXAMINATION OF THIS COURSE.

5. I HOPE YOU WILL AGREE THAT THE SUBJECT AS A WHOLE DESERVES URGENT FURTHER CONSIDERATION AND THAT THE BEST WAY TO GET THE ALLIED MACHINERY TO MOVE MORE QUICKLY MAY BE THE MEETING PROPOSED IN PARAGRAPH 1. END TEXT. GEORGE

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